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Crime prevention and criminal justice

Draft resolution submitted by the President of the General Assembly

Draft outcome document of the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons

The General Assembly,

Recalling its resolution 70/179 of 17 December 2015, in which it decided to convene a high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons[1] at its seventy-second session, in October 2017, immediately after the general debate,

Recalling also its resolution 71/287 of 4 May 2017, regarding the modalities for the high-level meeting, in which it decided that the high-level meeting would be held on Wednesday, 27 September, and Thursday, 28 September 2017,

Decides to transmit the draft outcome document entitled "Political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons", which is contained in the annex to the present resolution, for action by the General Assembly at its seventy-second session during the high-level meeting on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons,[1] to be held on Wednesday, 27 September, and Thursday, 28 September 2017.

Annex
Political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

1. We, the States Members of the United Nations, reaffirm the United Nations Global Plan of Action to Combat Trafficking in Persons[2] and our commitments made therein, and evince our strong political will to take decisive concerted action to end this heinous crime, wherever it may occur.

[1] Resolution 64/293.
[2] Resolution 64/293.

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2. We recall and reaffirm our commitments to the 2030 Agenda for Sustainable Development,[3] recognizing its integrated and indivisible nature and acknowledging that the 2030 Agenda includes commitments that relate to combating all forms of trafficking in persons, recognize the importance of partnerships in this regard, and emphasize that the 2030 Agenda and the Global Plan of Action are mutually reinforcing.

3. We reaffirm our commitment to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination, social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children. We reiterate our commitment to promote education and awareness-raising campaigns to prevent trafficking in persons. We welcome the designation of 30 July as the World Day against Trafficking in Persons.[4]

4. We reiterate our strong condemnation of trafficking in persons, especially women and children, which continues to pose a serious challenge to humanity, violates and impairs the enjoyment of human rights and fundamental freedoms and constitutes a crime and a serious threat to human dignity and physical integrity, and a challenge to sustainable development, and which requires the implementation of a comprehensive approach that includes partnerships and measures to prevent such trafficking, to prosecute and punish the traffickers and to identify and protect the victims, as well as a criminal justice response commensurate to the serious nature of the crime. In this regard, we encourage the development of policies, programmes and national strategies to prevent and combat trafficking in persons.

5. We reaffirm the crucial importance of universal ratification of the United Nations Convention against Transnational Organized Crime[5] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[6] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urge Member States that have not yet done so to consider ratifying or acceding to the Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as a matter of priority. We urge States parties to those instruments to implement them fully and effectively, and welcome the decision of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to continue the process of establishing a mechanism for the review of the implementation of the Convention and the Protocols thereto.

6. We also reaffirm the importance of universal ratification and implementation of other relevant international instruments that address trafficking in persons.

7. We reaffirm our recognition that "trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, which includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the

[3] Resolution 70/1.

[4] Resolution 68/192.

[5] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[6] Ibid., vol. 2237, No. 39574.

removal of organs, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

8. We express solidarity with and compassion for victims and survivors, call for full respect of their human rights, and, recognizing their role as agents of change in the global fight against trafficking in persons, encourage further consideration of incorporating their perspective and experience in all efforts to prevent and combat trafficking in persons. We will provide appropriate care, assistance and services for their recovery and rehabilitation, working with civil society and other relevant partners. We will also undertake appropriate measures for access to justice and protections for victims in criminal justice processes, including measures to ensure that identified victims are not penalized for having been trafficked and that they do not suffer from victimization as a result of actions taken by Government authorities, communities and families.

9. We commit to intensify our efforts to prevent and address, with a view to eliminating, the demand that fosters trafficking, especially of women and girls, for all forms of exploitation, and in this regard to put in place or to enhance preventive measures, including legislative and punitive measures, to deter exploiters of trafficked persons, as well as ensure their accountability.

10. We reaffirm our commitment to continue our efforts to criminalize trafficking in persons in all its forms, and to strengthen cooperation and coordination among Member States in countries of origin, transit and destination in order to disrupt and dismantle criminal networks involved in such crimes, including through, inter alia, the enhancement of information-sharing with full respect for domestic law and mutual legal assistance in combating crimes that might be connected with trafficking in persons, such as money-laundering, corruption, illicit financial flows, the smuggling of migrants and all forms of organized crime. We commit to enhancing the capacity of law enforcement and criminal justice systems to identify, investigate and prosecute cases of trafficking in persons, to analyse financial flows and to detect those criminal networks.

11. We are seriously concerned that the scale of global resourcing to fight trafficking in persons does not match the scale of the challenge and in this regard:

(a) We reaffirm our strong support for the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, established in accordance with the Global Plan of Action, aimed at providing victims of trafficking in persons with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations, and we invite all stakeholders to contribute to the trust fund, including through the announcement of pledges at the quadrennial high-level appraisals of the Global Plan of Action;

(b) We stress the need to intensify international cooperation, including capacity-building and technical assistance, especially for developing countries, aimed at strengthening their ability to prevent all forms of trafficking, including supporting their development programmes.

12. We also stress the need to ensure overall organization and coherence in the efforts of the United Nations system to respond to trafficking in persons, especially in ensuring support to Member States. In this regard, while recalling that the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations system entities and other international organizations involved in combating trafficking in persons, with the United Nations Office on Drugs and Crime as its coordinator, we urge the Secretary-General to continue efforts to strengthen coordination within the United

Nations system and to inform Member States thereof through existing reporting channels.

13. We recognize the important role played by the Inter-Agency Coordination Group against Trafficking in Persons in the United Nations system, and invite it to continue to increase its activities related to the implementation of the Global Plan of Action and, to that end, to incorporate aspects of the 2030 Agenda for Sustainable Development relevant to preventing and combating trafficking in persons and to consider how future activities will be coordinated and how the duplication of efforts will be avoided. We encourage the Coordination Group to expand its working group to include entities of the United Nations system that are not currently active in the working group but that have a role in addressing trafficking in persons.

14. We reaffirm the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to Member States, upon their request, to implement the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations.

15. We reaffirm the important contribution to the global fight against trafficking in persons of the other members of the Inter-Agency Coordination Group against Trafficking in Persons, in particular the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Labour Organization, the International Organization for Migration, the International Criminal Police Organization, the United Nations Development Programme, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and other intergovernmental organizations, within their respective mandates.

16. We reiterate the need for improved data collection and analysis of trafficking in persons, disaggregated by sex, age and other relevant factors, including the form of exploitation, to effectively counter trafficking in persons. We thus recognize the importance of improved data collection by national authorities and will enhance international cooperation to this end, including through capacity-building, financial support and technical assistance. We will do so consistent with our national legislations on data protection, if applicable, and our international obligations related to privacy, as applicable.

17. We acknowledge the importance of the biennial *Global Report on Trafficking in Persons*, prepared by the United Nations Office on Drugs and Crime pursuant to the Global Plan of Action, and request the Office to continue to collect information on patterns, forms and flows of trafficking in persons, at the national, regional and international levels, in a balanced, reliable and comprehensive manner, to be published in the *Global Report*, and in ongoing research to estimate the prevalence of trafficking in persons, in close cooperation and collaboration with Member States.

18. We recall the New York Declaration for Refugees and Migrants,[7] in which, inter alia, it was recognized that refugees and migrants in large movements are at greater risk of being trafficked and of being subjected to forced labour. We will provide support for the victims of trafficking in persons and work to prevent trafficking in persons among those affected by displacement, including through

[7] Resolution 71/1.

targeted measures to identify victims of trafficking in persons or those at risk of trafficking. We reiterate our commitment to take steps to address the particular vulnerabilities of women and children during the journey from country of origin to country of arrival, including their potential exposure to trafficking in persons, including through the development of age- and gender-sensitive policies and programmes.

19. We express our serious concern over the increase in the number of women and children who are being trafficked, recognize that trafficking in persons disproportionately affects them, and call upon Member States to establish comprehensive policies, programmes and other measures to protect trafficked women and children from revictimization and to provide appropriate assistance and protection in the best interest of the child.

20. We recognize that the issue of trafficking in persons in situations of armed conflict and humanitarian emergencies, including natural disasters, requires further attention. We encourage the training of humanitarian and peacekeeping personnel to be deployed in humanitarian emergencies and peacekeeping operations on responding to trafficking in persons and on gender expertise, child protection and sexual exploitation. We encourage all entities and bodies of the United Nations system to train their personnel and to build their technical capacity to assess situations for instances of trafficking in persons in armed conflict and humanitarian emergencies, and to work together to identify, prevent and respond effectively to victims of trafficking.

21. We express our deep concern about the increasing links in some regions between armed groups, including terrorist groups, and trafficking in persons, involving the coercion of women and girls into marriages or sexual slavery, and pressing men and boys to act as forced labour or combatants.

22. We note with concern the criminal misuse of information and communications technologies, in particular the Internet, to facilitate the trafficking of persons, and emphasize the importance of countering such use while respecting human rights and fundamental freedoms, including the right to privacy, in compliance with other obligations under international law.

23. We reaffirm that the crime of trafficking in persons for the purpose of organ removal constitutes a form of exploitation and an offence against the human dignity of the victims, and condemn the involvement of criminal groups and unethical medical personnel in trafficking in persons for the purpose of organ removal.

24. We reiterate, in the strongest terms possible, the importance of strengthening collective action by Member States to end trafficking in persons, including through regional, subregional and cross-regional mechanisms, and through partnerships and initiatives with the United Nations system and other stakeholders, including, inter alia, regional and international organizations, the private sector, the media, parliamentarians and civil society, including non-governmental organizations, academic institutions and faith-based organizations, as well as national human rights institutions, where they exist, with regard to the Paris Principles.[8] In particular, we underline the work of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, and the Special Rapporteur of the Human Rights Council on contemporary forms of slavery, in combating trafficking in persons, and welcome their continued efforts to implement the Global Plan of Action and the present political declaration.

[8] Resolution 48/134, annex.

25. We will promote partnerships and engage the business community and civil society, including non-governmental organizations, in developing and implementing sustainable initiatives to prevent and combat trafficking in persons in supply chains, taking into account the views and experiences of trafficked persons in designing, implementing, monitoring and evaluating such initiatives, and encourage businesses to support efforts to combat trafficking in persons. We urge the Secretary-General to ensure that all United Nations procurement is free from trafficking in persons.

26. We recognize that arrangements are needed to ensure the systematic follow-up to and review of all of the commitments we are making at the present high-level meeting, including in the quadrennial high-level meetings of the General Assembly to appraise progress achieved in the implementation of the Global Plan of Action.